REMARKS

Claims 1-7 are pending in this application. In this Response, Applicants have provided remarks that explain some of the differences between the reference cited by the Examiner and the present invention.

OBJECTIONS TO THE SPECIFICATION

At pages 2-3 of the Office Action, the Examiner again objects to the disclosure of the specification because: (i) there is no background of the invention; (ii) there is no brief summary of the invention; (iii) there is no brief description of the drawings; and (iv) there is no detailed description of the invention. The Examiner also objected to the arrangement of the specification, stating that it should include the sections set forth in 37 CFR 1.77(b).

The Applicants submit that the portions of the written description objected to are in compliance with 35 U.S.C. §112. Further, Applicants submit that the provisions of 37 CFR 1.77(b) are merely suggested, and are not required. However, to facilitate examination of the application, the Applicants submit a substitute specification herewith. As such, the Applicants submit that the Examiner's objections to the specification have been overcome.

OBJECTIONS TO THE DRAWINGS

At page 3 of the Office Action, the Examiner stated that Applicants are required to furnish formal drawings. Accordingly, Applicants have submitted a formal drawing for Figure 1. The Examiner also stated that Figure 1 should be designated by a legend, such as "Prior Art," because only that which is old is illustrated. In order to expedite prosecution of the application, the Examiner's suggestion has been followed. As such, Applicants have labeled Figure 1 with the heading "Prior Art." As such, the Applicants submit that the Examiner's objections to the drawings have been overcome.

THE REJECTION UNDER 35 U.S.C. §102(b)

At pages 4-6 of the Office Action, the Examiner rejected claims 1-7 under 35 U.S.C. §102(b) based on U.S. Patent No. 5,761,654 to Tow. ("Tow"). Applicants submit that Tow does not teach the present invention for the reasons that follow.

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The Examiner refers to Cheng in the rejection of claims 1-7. The Applicants believe that the reference to Cheng is residual language remaining from the previous rejection. However, in the event that this is not the case, the remarks from the previous response are repeated herein.

Tow discloses a method of constructing an aid to tuning of database statements using a data structure to compactly represent the information needed about a database statement to determine the optimal series of operations needed to execute the statement. *See* Abstract. The information includes the relationships between table joined in the statement. *Id.*

In contrast, the present invention provides a method of preventing unnecessary joins between tables in a database. *See* Page 1, line 3-6. In particular, the method includes rewriting SQL statements to prevent the execution of unnecessary joins. *Id.* The method also includes using a SQL statement to determine a unique identifier to a row of a master table. *See* Page 4, lines 1-3. Then, the unique identifier to the row of the master table is equated to an identifier to related rows of the detail table using the join condition. *See* Page 4, lines 25-28. In this manner, the new SQL statement that is generated only refers to the detailed table, thereby eliminating the join "without filtering the results using a value."

In light of these differences, Applicants submit that the Examiner has failed to make a *prima facie* case of anticipation, *i.e.,* Tow does not teach each and every element of the present invention. For example, Tow does not disclose a method for preventing processing of a join between two tables, as asserted by the Examiner. *See* Office Action at Page 4. Rather, Tow discloses a method to eliminate rows from a join statement to increase efficiency. *See* Col. 9, lines 34-36. Thus, Tow still processes joins between two tables even though it may eliminate some rows of tables in the join when executing the join statement. As such, Applicants submit that the Examiner lacks a basis for the anticipation rejection under 35 U.S.C. §102(b).

In addition, the Examiner states that Tow produces a revised SQL statement that only refers to the detailed table using the identifier to the at least one row of the detailed table. *See* Office Action at Page 4. In contrast to the Examiner's assertion, however, Tow does not mention or suggest producing a revised SQL statement that only refers to the detailed table using the identifier to the at least one row of the detailed table. Rather, Tow reconstructs an SQL statement so that filters for a detailed table will be executed first. This does not mean that the join statement is eliminated. In contrast, the use of the term "first" dictates that some action (i.e., filtering) is done and then the join operation is performed. There is no suggestion that the join statement is

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eliminated. Tow merely teaches a technique for performing efficient filtering when executing a join statement.

In sum, the Examiner has failed to establish a *prima facie* case of anticipation because Tow does not disclose each and every element of the present invention. For at least the reasons set forth above, Applicants respectfully submit that the Examiner's rejection of independent claim 1 under 35 U.S.C. §102(b) has been traversed. Moreover, Applicants submit that claims 2-7 are allowable, at least by virtue of their dependency from independent claim 1, but also for additional novel features described therein. Reconsideration and allowance of the pending claims is respectfully requested.

CONCLUSION

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments and remarks still do not resolve all of the issues regarding patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorney to discuss any remaining issues. No fees are believed to be due at this time. Should any fee be required, however, please charge such fee to Bingham McCutchen LLP Deposit Account No. 195127, Order No. 19111.0127.

Respectfully submitted,
Bingham McCutchen LLP

Dated: June 20, 2006   By: _____
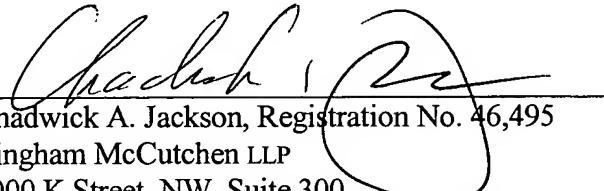
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